

Notice of Allowability

Application No.

10/071,017

Examiner

Brian J. Sines

Applicant(s)

ROSENTER ET AL.

Art Unit

1743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed 3/14/2006.
2. ☒ The allowed claim(s) is/are 1-27 and 30-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

Claims 1 – 27 and 30 – 32 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the cited prior art neither teach nor fairly suggest a method for the real-time measurement of aqueous cyanide comprising: providing a cyanide laden water test specimen in a flow cell, wherein the flow cell is adapted to contain a gold-plated piezoelectric crystal having a surface in fluid communication with the test specimen; providing a controller to control the oscillation frequency of the piezoelectric crystal; determining the cyanide concentration within the test specimen by measuring a change in the crystal oscillation frequency caused by a chemical reaction between the free cyanide in the test specimen and the gold-plated piezoelectric crystal.

Regarding claim 11, the cited prior art neither teach nor fairly suggest a method for the continuous real-time measurement of aqueous cyanide comprising: providing a cyanide laden water test specimen in a flow cell; providing a flow cell stack comprising a plurality of flow cells, wherein each flow cell is adapted to contain a gold-plated piezoelectric crystal having opposite first and second surfaces, wherein the first surface is in contact with the test specimen and the second surface is exposed to an ambient atmosphere; controlling the frequency of vibration of each piezoelectric crystal; measuring changes in the frequency of vibration of the piezoelectric crystal, wherein the changes result from a change of mass of the crystal caused by the reaction of the gold on the crystal with the cyanide in the test specimen.

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Regarding claim 21, the cite prior art neither teach nor fairly suggest a continuous real-time cyanide concentration measurement system comprising: at least one flow cell adapted to contain a gold plated piezoelectric crystal, wherein the crystal has first and second surfaces, wherein the first surface is configured to contact a test specimen within the at least one flow cell and the second surface is configured to contact an ambient atmosphere; an agitation means for promoting mixing within the test specimen; a means for purging and rising the flow cell; and a controller to control and measure changes in oscillation frequency of the crystal caused by a chemical reaction between the free cyanide within the test specimen and the gold plated piezoelectric crystal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Sines whose telephone number is (571) 272-1263. The examiner can normally be reached on Monday - Friday (11 AM - 8 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill A. Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Brian Sims". The signature is fluid and cursive, with a large loop at the end of the last name.